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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER	
DUNN, MISHAWN N	

ART UNIT	PAPER NUMBER
2621	

DATE MAILED: 07/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/061,347	GU ET AL.	
	Examiner	Art Unit	
	Mishawn N. Dunn	2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *04 February 2002*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-47* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) *5-9,12-14 and 25* is/are allowed.

6)☒ Claim(s) *1,10,11,15,23,24,26,27,29,31-34,36,37 and 39-47* is/are rejected.

7)☒ Claim(s) *2-4,16-22,28,30,35 and 38* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *04 February 2002* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 11/03
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

3. Claims 1, 10, 11, 15, 23, 26, 27, 31, 32, 34, 36, 37, and 40-47 rejected under 35 U.S.C. 103(a) as being unpatentable over Hirasawa (US Pat. No. 6,980,233) in view of Aoki et al. (US Pat. No.6,279,061).

4. Consider claim 1. Hirasawa teaches a method of setting an environment for a portable data storage device that has an interface for interfacing with a host computer (fig. 33) thereby enabling a mutual data transmission with the host computer, the method comprising: assigning one or more environment setting command code in a reserve code area that is not in use (col. 20, lines 54-62; fig. 20), the mutual data

transmission between the portable data storage device and the computer being performed by exchange of a command via the interface (col. 21, lines 17-40); determining whether a code received from the computer is one of the one or more environment setting command code (col. 22, lines 15-18); and if the code is one of the one or more environment setting command code, updating environment setting data stored in the portable data storage device with the environment setting data (col. 22, lines 22-25).

Hirasawa does not teach that the environment setting command code is in the format of a command frame having an operation code area and an operand area.

However, Aoki et al. discloses the format of a command frame having an operation code area and an operand area (fig. 4).

Therefore, it would have been obvious to one with ordinary skill in the art, at the time the invention was made to use, to have the environment setting command code in the format of a command frame, in order for the portable storage device to be controlled more efficiently.

5. Consider claim 11. Hirasawa teaches the method of claim 10, wherein the data protocol is an IEEE-1394 protocol (col. 7, line 44 – col. 9, line 28).

6. Consider claim 15. Hirasawa teaches a digital video camcorder, comprising: a camera which senses audio and visual information and converts the audio and visual information to first digital data (col. 19, lines 47-53); a microcomputer which controls the digital video camera (fig. 20); an interface which communicates second digital data from an external computer to the microcomputer (col. 20, lines 31-33 and 54-58), the second

digital data comprising at least one command for setting an environment parameter of the digital video camcorder (col. 22, lines 15-18) and an associated value for the at least one environment parameter (inherent that the command would have an associated value); and a non-volatile memory which stores the communicated associated value (col. 21, lines 7-9; fig. 20), wherein the microcomputer controls the digital camera based on the communicated associated value.

7. Consider claim 23. Hirasawa teaches the computer to determine whether the digital video camcorder has correctly received the command frame based on a transmission of a response frame from the digital video camcorder (fig. 8).

Hirasawa does not teach a computer readable medium which instructs a computer to interface with a digital video camcorder to enable mutual data transmission between the computer and the digital camcorder.

Examiner takes official notice that it is well known in the art to have a computer readable medium encoded with instructions to perform some function.

Therefore, it would have been obvious to one with ordinary skill in the art, at the time the invention was made to use, to provide a computer readable medium which instructs a computer to interface with a digital video camcorder to enable mutual data transmission between the computer and the digital camcorder, in order to transmit the data proficiently.

8. Consider claim 26. Hirasawa teaches a method of updating an operational configuration setting of a portable data storage device from a host computer (fig. 33), the method comprising: detecting a connection between said portable data storage

device and said host computer (col. 21, lines 17-40); transmitting from said host computer a command to update said operational configuration setting together with a update value of said operational configuration setting; receiving by said portable data storage device said command and said update value; and storing within said portable data storage device said update value as a new value for said operational configuration setting (col. 22, lines 3-34).

9. Consider claim 27. Hirasawa teaches all the claimed limitations as stated above, except that upon detection of said connection, transmitting a request from said portable data storage device to said host computer for said update value of said operational configuration setting; and upon receipt of said update value, transmitting from said portable data storage device to said host computer an acknowledgement message indicating safe receipt of said command and said update value.

However, Aoki et al. discloses transmitting a request from said portable data storage device to said host computer for said update value of said operational configuration setting; and upon receipt of said update value, transmitting from said portable data storage device to said host computer an acknowledgement message indicating safe receipt of said command and said update value (fig. 8).

Therefore, it would have obvious to one with ordinary skill in the art, at the time the invention was made to use, to transmit a request and receive an acknowledgement indicating safe receipt, in order to confirm that the command was transmitted.

10. Consider claims 41 and 42. Hirasawa teaches all the claimed limitations as stated above, except the portable data storage device wherein: said portable data storage device comprises a personal digital assistant or a portable music device.

Examiner takes official notice that it is well known in the art that a personal digital assistant or a portable music device are portable storage devices that have a memory for storing operation configuration settings, an interface for connecting to and communicating with a host computer using a predetermined communications protocol, and for receiving from said host computer a command to update said operational configuration setting together with a update value of said operational configuration setting; and a microcomputer configured to control said memory and said interface to, upon receipt of said command and said update value, cause said received update value to be stored in said memory as a new value for said operational configuration setting.

Therefore, it would have been obvious to one with ordinary skill in the art, at the time the invention was made to use, to use a digital video camcorder, a personal digital assistant, or a portable music device to store configuration settings, in order to configure the device to tailor to the user's needs.

11. Consider claim 44-46. Hirasawa teaches all the claimed limitations as stated above, except the portable data storage wherein: said predetermined communications protocol is an RS-232 protocol, a USB protocol, or a wireless communications protocol.

Examiner takes official notice that it is well known in the art to use various communication protocols to transmit data.

Therefore, it would have been obvious to one with ordinary skill in the art, at the time the invention was made to use, to use an RS-232 protocol, a USB protocol, or a wireless communications protocol, in order to transfer data at high speed.

12. Claims 10, 31, 32, 34, 36, 37, 40, 43 and 47 are rejected for the same reasons as discussed in the corresponding claims above.

13. Claims 24, 29, 33, and 39 rejected under 35 U.S.C. 103(a) as being unpatentable over Hirasawa (US Pat. No. 6,980,233) in view of Aoki et al. (US Pat. No.6,279,061) in further view of Gonzalez (US Pat. No. 6,023,769).

14. Consider claim 24. Hirasawa teaches all the claimed limitations as stated above, except the computer readable medium further comprising instructions for causing the computer to acquire time data from a time server via an internet connection.

However, Gonazalez discloses a computer with the ability to acquire time data from a time server via an internet connection. (col. 3, lines 9-64; figs. 1A-1B).

Therefore, it would have been obvious to one with ordinary skill in the art, at the time the invention was made to use, to have a computer acquire time data from a time server via an internet connection, in order to maintain the clock's accuracy.

15. Consider claim 29. Hirasawa teaches the claimed limitations as stated above, except the method wherein said operational configuration setting comprises a current time setting, said method further comprising: downloading by said host computer from a remote time server a standard time value.

The examiner takes official notice that it is well known to download a standard time value when acquiring time from a time server.

Therefore, it would have been obvious to one with ordinary skill in the art, at the time the invention was made to use, to download a standard time value from a remote time server, in order to maintain the clock's accuracy.

16. Claims 33 and 39 are rejected for the same reasons as discussed in the corresponding claims above.

Allowable Subject Matter

17. Claims 5-9, 12-14, and 25 are allowed. The following is a statement of reasons for the indication of allowable subject matter: The present invention is directed towards setting the accurate time of a digital video camcorder via a host computer. Independent claims 5 and 7 identify the uniquely distinct feature, "counting current time." The closest prior art, Hirasawa (US Pat. No. 6,980,233) fails to anticipate or render to the above underlined limitations obvious.

18. Claims 2-4, 16-22, 28, 30, 35, and 38 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mishawn N. Dunn whose telephone number is 571-272-7635. The examiner can normally be reached on Monday - Friday 7:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thai Tran can be reached on 571-272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Mishawn Dunn
July 23, 2006

ROBERT CHEVALIER
PRIMARY EXAMINER